



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,103	12/28/1999	ANOOP GHANWANI	2204/150	9599

2101 7590 08/20/2003
BROMBERG & SUNSTEIN LLP
125 SUMMER STREET
BOSTON, MA 02110-1618

EXAMINER

PRIETO, BEATRIZ

ART UNIT PAPER NUMBER

2142

DATE MAILED: 08/20/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see supplemental advisory attached.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1-17.

Claim(s) withdrawn from consideration: none.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

MEHMET B. GECKIL
PRIMARY EXAMINER

Mehmet B. Geckil

Supplemental Advisory action

1. Applicant argues prior art does not teach replacing labels as AS boundaries are crossed, because according to applicant Armitage does not mention autonomous systems, and Aggarwal does not mention replacing labels as AS boundaries are crossed, where further the term "autonomous system" has not been given patentable weight.

In response to the above argument, it is respectfully noted that Armitage teaches a system/method related to using a Label Distribution Protocol (LDP) to establishes label switched paths, including, mapping, associating correlating or binding a first (routing) label from an upstream neighboring device to a second (routing) label from an downstream neighboring device (col 10/lines 52-59, col 10/line 64col 11/line 5); receiving from said upstream neighboring device a protocol message including said first label (col 3/lines 34-38); swapping said first label with said second label in said protocol message (label swapping, adding-removing labels, col 16/lines 17-33); and forwarding said protocol message to said downstream neighboring (next hop) device (col 3/line 34-38, col 2/lines 30-33); although prior art teaches swapping said first label with said second label in said protocol message (label swapping, adding-removing labels between upstream and downstream neighboring devices it does not teach where the routers are attached to an autonomous system;

Aggarwal teaches a system/method related to using a Label Distribution Protocol (LDP) to establishes label switched paths (col 8/lines 1-18), teaching combining neighboring devices (Core Routers) into autonomous systems and assigning a unique number to each system (col 11/lines 40-51), the label field in the MPLS header is used in a checksum field (col 12/lines 25-30, col 2/lines 18-22) which is use to represent an autonomous system number, for communication data packets between core routers in a routing control protocol, e.g. BGP which combines a group of routers in to an Autonomous System (AS) having an assigned unique number which is the same for all routers of a given AS, this allows the router of Fig. 10 communicate, wherein routes in on autonomous system (EGP 1 communicate with a second autonomous system (EGP 2) (col 11/lines 38-col 12/lines 4).

The combined teachings of Armitage and Aggarwal teach mapping, associating correlating or binding a first (routing) label from an upstream neighboring device on a first autonomous system to a second (routing) label from an downstream neighboring device; receiving from said upstream neighboring device a protocol message including said first label; swapping said first label with said second label in said protocol message (label swapping, adding-removing labels; and forwarding said protocol message to said downstream neighboring (next hop) device on a second autonomous system.

2. It is respectfully noted that, according to applicant disclosure, label switching to transport a packet across a network domain (autonomous system "AS") using labels rather than the network layer address supported by LSP and further by MPLS, is not the novel feature of instant application (see BACKGROUND OF THE INVENTION section page 2, lines 1-26).

3. Arguments filed on 06/09/03, have been fully considered but not rendered persuasive.

4. Prosecution of this application is closed by means of this final office action § 1.113, applicant may request continued examination of the application by filing a Request for Continued Examination of under 37 CFR § 1.114 and providing the corresponding fee set forth in § 1.17(e) for the submission of, but not limited to, new arguments, an information disclosure statement, an amendment to the written description, claims, drawings, or new evidence in support of patentability. Or applicant whose claims has been twice rejected, may appeal from the decision of the administrative patent judge to the Board of Patent Appeals and Interferences under 35 U.S.C. §134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Mark R. Powell can be reached on (703) 305-9703. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 746-7238 for TC 2100 Official After-final communications; please mark
"EXPEDITED PROCEDURE", and
(703) 746-7239 for other TC 2100 Official communications.

or:

(703) 465-7240 for Non-Official, Draft communications, status query, please
label "PROPOSED" or "DRAFT".

Or Telephone: (703) 306-5631 for TC 2100 Customer Service Office


B. Prieto
Patent Examiner

MEHMET B. GECKIL
PRIMARY EXAMINER

